

**City of West St. Paul
City Council Meeting Minutes
March 27, 2017 at 6:30 p.m.**

1. Call to Order

Mayor Jenny Halverson called the meeting to order at 6:36 p.m.

2. Roll Call

Present: Mayor Jenny Halverson and Councilmembers Anthony Fernandez, Ed Iago, Dave Napier, Bob Pace and Dick Vitelli. Clpn. Bellows had an excused absence.

Others present: Interim City Manager Ryan Schroeder, Assistant City Manager Sherrie Le, Attorney Korine Land, Assistant Community Development Director Ben Boike, Fire Chief Mike Potts, Lt. Brian Sturgeon, Finance Director Joan Carlson and City Clerk Chantal Doriott.

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Clpn. Vitelli and seconded by Clpn. Iago to amend the agenda to include amendment to claims adding a payment of \$76,000.00 to Eureka and moving the SRSBA donation under Presentations. All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Jenny Halverson gave a brief update on the items discussed, prior this meeting, during the Open Council Work Session:

- City hall building update from staff – issues with roof, HVAC and other updates;
- Robert Street banners – presentation this evening for the donation from South Robert Street Business Association; and
- Buckthorn in our parks – Park and Rec working on this invasive issue and we are seeking grant funding opportunities.

6. Citizen Comments

Ron Josephs, 1080 Felix Street, said he is getting brochures in the mail where the city is trying to make it look like the taxes are not going up. You are spending so much money. The Dome cost

us \$900,000 a year, Robert St. is probably \$50 million. Harmon field was \$6 million and he never sees anyone playing ball. The outside hockey rink isn't used. The streets by Harmon Park are packed with cars and the water feature is on the corner. Some kid is going to run into the street and get hit. Keep track of how many times the ball fields and all these things are used. I never see them used. Now I read about a tunnel and bridge and a new city hall and a new police station and a fire hall. The school was pushing for a new stadium. You are spending money like there is no tomorrow.

Mayor said the fields are heavily used. We went to one rink from two due to use. The land is what it is and this is the only place Harmon Park can be. The Dome is very successful and returns on itself. Mayor thanked Mr. Josephs for his comments.

7. Council Comments

Mayor Halverson said thank you to Representatives Klein and Hansen. The capitol tour was a phenomenal event. Thank you to those who worked the event and attended.

Lt. Sturgeon said Lt. Matt Swenke will be attending the FBI Academy. There are few opportunities for these types of opportunities. While there he will be learning an investigative administrative track for 10 weeks. All these classes are college and graduate level classes. It's a wonderful opportunity for Lt. Swenke and also the city. He will get to see how other police departments, and legislatures from other cities, work and solve issues.

Clpn. Fernandez said he is happy to be here this evening.

Clpn. Napier comments

- Public safety—he went last Tuesday to an emergency management training session and learned a great deal about what the city official role is during an emergency. We learned that it's better for us to be in this room and let the command center receive direction under the Police Chief. We honed skills that will help us deal with the disaster and the processes and dealing with the public. Our role is important to remediating the emergency situations.
- He took part in the League conference and learned about the bills that can negatively affect our residents and community. These opportunities are usually available each year. Clpn Napier discussed upcoming legislative issues that the council can review and take action on including a bill regarding a tax increase. A resolution will be prepared for the next meeting.

Clpn. Iago comments:

- It's that time of year when the phone is going to ring and it might be, they say, the IRS with threats. These calls are all phony. The IRS does not notify by the phone and they do not leave threatening messages. If you get a call ignore it. You will get a letter from the IRS, not a phone call.
- You have probably seen construction at the old Rainbow building because it's now the new home for Hobby Lobby. The Hobby Lobby will hold a grand opening on April 10th at 8:45 a.m. the public is welcome to attend.

- The Yellow Ribbon effort has been revived and is taking cues from another community so if you are looking for volunteer opportunities contact Sherrie Le. The sad news is that West St. Paul had an employee pass away – Mrs. Debbie Kermes. She has been an employee for over 30 years and we mourn the loss and condolences go out to her family.

8. Proclamations, Presentations and Recognitions

The South Robert Street Business Association President Dave Motz and Board member John Ramsay were in attendance. Dave Motz said the Board wants to present a donation in the amount of \$8,000 for banners that will be placed along Robert Street. This item was discussed and reviewed in detail during the work session.

Motion was made by Clpn. Vitelli and seconded by Clpn. Fernandez to adopt Resolution No. 17-19 accepting the donation for Robert Street banners with a change in design on the DINE banner. All members present voted aye. Motion carried.

Winter Fun Fest – Mr. Motz thanked city staff for a great job. It was a well-attended event and very fun for all.

9. Consent Agenda

- A. Previous Meeting Minutes of March 13, 2017 – regular meeting and work session as presented;
- B. List of Claims – amended to include payment in the amount of \$76,000 to Eureka Construction;
- C. Rental Licensing as presented;
- D. City Licenses as presented; and
- E. City Licenses - Outdoor Live Entertainment at Dunhams.

Motion was made by Clpn. Napier and seconded by Clpn. Fernandez to approve the amended consent agenda items as reviewed by Mayor Halverson. All members present voted aye. Motion carried.

10. Public Hearing

A. Multiple Zoning Applications for the Redevelopment of 1214/1224 Robert St. - Saman Holdings, LLC

Saman Holdings, LLC is requesting multiple approvals for the redevelopment of 1214/1224 Robert St:

- 1) Amendment to the Planned Development
- 2) Site Plan Review for the redevelopment of the property

- 3) Conditional Use Permit approval to allow a Drive-through Lane, Outdoor Seating, and an Accessory Structure
- 4) Preliminary/Final Plat approval

The applicant is proposing to demolish the southerly 3,000 sq. ft. of the former Ace Hardware building (1214 Robert), demolish the JT's building (1224 Robert), construct a new 1,990 sq. ft. Dunkin Donuts/Baskin-Robbins, and modify the existing parking lot. A new monument signage design was also presented and reviewed.

Comments:

- Clpn. Vitelli asked if there were any comments from abutting businesses or others. No, said Assistant Community Development Director Boike, but the property owner is hopeful there will be interest with Dunkin Donuts being a neighbor.

Public hearing opened at 7:03 p.m.

Lisa McCormick, member of the development team and an owner of the franchise holder, were present and said Mr. Boike did an excellent job in the presentation. They appreciate the opportunity to provide signage exhibits. The goal is to work with the city and bring forward the best plan. Lisa showed an actual sign that they would like to use to be consistent. The drive thru lane, they appreciated staff guidance. There are many constraints with the site. They spoke with an engineer today and they hope to cut back a couple of feet and improve this lane layout. There may be a change in impervious coverage which results in changes to landscaping. In conjunction with this is the bike rack band the need to determine a safer location. The proposed could create issues for handicap parking. They will work with staff on this condition. Mayor Halverson thanked them for working with staff and she is in favor of the proposed.

Council comments

- Clpn. Iago asked would the potential changes made – do you see difficulties. No said Director Boike. This can be worked with staff and not come back to the council. Thank you too for the compromise on the sign. We hope the business works well and thanks for coming to our community. Ms. McCormick thanked the Planning commission and Council for their comments.
- Clpn. Napier asked about the tight corner. What kind of lighting will be there? To Director Boike he asked about wall sconces and visuals on a “blank brick wall (outside). Director Boike said there is a light in back. One condition is adding window coverage on the Robert St. side (north side). Ms. McCormick commented on site lighting stating there are currently four poles and she visually reviewed these with Council. They are in all corners of the parking area, especially the back. Thank you for coming to West St. Paul we are excited to have you.
- The pedestrian connectivity – to the point it makes sense – thank you for looking at that and working with staff. Clpn. Vitelli said there is connectivity from Robert Street and that makes sense. Ms. McCormick said that area is handicap accessible as well.
- Clpn. Fernandez asked what is in front of the building – is it outdoor seating? Ms. McCormick said yes, there is permanent seating and landscaping. Thanks said Clpn.

Fernandez. As the liaison of the Planning Commission, he said, this should be a very busy business.

- Council thanked both of them for coming this evening

Public Hearing Closed at 7:14 p.m.

Motion was made by Clpn. Pace and seconded by Clpn. Fernandez to approve and adopt all six (6) resolutions for the Dunkin Donuts project as listed below:

- 1) Resolution No. 17-20 approving the site plan for 1214/1224 Robert St. Saman Re Holdings LLC
- 2) Resolution No. 17-21 final plat for 1214/1224 Saman Re Holdings LLC
- 3) Resolution No. 17-22 PUD for 1214/1224 Robert St Saman Re Holdings LLC
- 4) Resolution No. 17-23 CUP Accessory structure for 1214/1224 Robert St Saman Re Holdings LLC
- 5) Resolution No. 17-24 CUP drive through land for 1214/1224 Robert St Saman Re Holdings LLC
- 6) Resolution No. 17-25 CUP for outdoor seating for 1214/1224 Robert St Saman Re Holdings LLC

All members present voted aye. Motion carried.

Ms. McCormick asked to make sure that the option for a non-conforming sign be noted that it was approved. Assistant Director Boike said that would be noted on the adopted resolution.

11. New Business

A. Rental License Hearing - 188 Butler Ave E

Assistant Community Director Ben Boike gave an overview of the Provisional License for 188 Butler Avenue. Lt. Sturgeon also added short comments. Liborio Ramirez has owned and rented out his triplex at 188 Butler Avenue East since acquiring his rental license in 2014. Over the past year, February 2016 – February 2017, Staff has been experiencing issues with both the upkeep of the property and the current tenants. As a pre-emptive measure, in November of 2016 Staff invited Mr. Ramirez to a meeting to discuss the ongoing issues at the property. Mr. Ramirez explained to Staff that he has also experienced issues with his tenants, however since Mr. Ramirez had not made his tenants sign a lease (despite it being a rental licensing requirement) and was therefore limited in legal eviction resources. Police agreed to work with Mr. Ramirez to establish a formal leasing document as well as review the individual police calls occurring at the property.

Since November of 2016, the property has had no more City code violations, however there have been continuing police calls to the property. The total number of qualified city service calls (both police and code) over the 12 month period equates to four for the three units. The number of city service calls exceeds the established benchmark of three calls for three units or less. A summary of the violations against the property was outlined in the Council agenda report.

The hearing opened at 7:19 p.m. The license holder was not present. The hearing closed.

Comments:

- Clpn. Vitelli is concerned that the license holder is not present. Attorney Land offered comment on a possible revocation hearing. Clpn. Napier said the other option is to get the mitigation plan to them. Clpn. Iago shares Clpn. Vitelli's concerns. He assumes there was no notification given to staff they would be absent. If we went to the mitigation plan and sent that out we are "shooting in the dark". Otherwise we wait two more weeks to see if he showed for a mitigation plan review. He believes we submit notification for revocation of the license for the next council meeting.

Motion was made by Clpn. Vitelli and seconded by Clpn. Fernandez to submit notification to the license holder at 188 Butler Avenue and start the process for license revocation. All members present voted aye. Motion carried.

B. Rental License Hearing - 1254 Robert St S

Assistant Community Development Director Ben Boike gave an overview. William Goldberg has owned and rented out his duplex at 1254 Robert Street South since acquiring his rental license in 2008. Over the past year, February 2016 – February 2017, Staff has been experiencing issues with both the upkeep of the property and the current tenants.

The total number of qualified city service calls (both police and code) over the 12 month period equates to five for the two units. The number of city service calls exceeds the established benchmark of three calls for three units or less. A summary of the violations against the property is as follows:

- Police Department: Over the past 12 months, two disturbance calls have been made. The first call was placed on September 9th, 2016, while the second was placed on December 25th, 2016.
- Code Enforcement: Since February of 2016 there have been three code cases, the cases involved junk and litter on the property, inoperable and abandoned vehicles, and building maintenance.
- Upon exceeding the allowable number of city service calls, according to City Code 150.040 Subd. B, the City Council may hold a license hearing in consideration of suspension, revocation, or the conversion to a provisional license. Staff has provided a list of options for the City Council to consider.

The hearing opened at 7:24 p.m.

Property owner Bill Goldberg addressed the council. The history in 2016 was due to many issues and the property has been difficult to maintain. During the last subsequent checks they have passed inspection. They are very proactive in keeping this property clean. There is a problem tenant moving out in June. Mr. Goldberg said he likes the crime free housing – they have attended all ROMA meetings and he is trying to show everyone at city hall that they want to

keep this property and finish what he started. He has been a landlord for 20 years. Unfortunately he needs to support the rights of his tenants. He is trying not to evict, 2016 has been a tough time and he is trying to do what is best for everyone. Also the Robert Street construction hurt them financially. He said to Clpn. Iago and Ms. Le that they do a lot of work with the Vets. He would like additional time to implement his plan. We are waiting for the ground to thaw.

Council comments

- Mayor Halverson said thank you – we know you have been here a long time. We appreciate you being here.
- Clpn. Vitelli is in favor of the provisional plan
- Clpn. Iago said he understands working with the seasons. He is supportive of the delay. Are you certain this person (tenant) has received the message? Mr. Goldberg said yes, for 2017. He is hoping to get the vacation in writing. He has her (tenant) word verbally at this time.
- Clpn. Vitelli feels this is handled but we can't waiver from the findings.
- Clpn. Fernandez said it might be helpful to have something in writing from the tenant, stating that she is moving out. If this is the source of the problem, maybe you and we, need some guarantee.

Motion was made by Clpn. Vitelli and seconded by Clpn. Iago to approve the provisional license until the renewal period and stay the fee as long as there are no further incidents at this rental residence.

C. Council Report - City Licenses - Special Event - Celebrate West St. Paul

Lt. Sturgeon gave an overview of the Celebrate West St. Paul Days request for fee waiver and approval of several licenses:

- Parade route;
- Retain rights to have vendors during the parade;
- Activity at Harmony Park on May 20th – gambling, liquor, and various licenses;
- Carnival at Signal Hills; and
- Waive fees of the permits as outlined in the council report dates March 27, 2017.

Dave Wenda, 272 Arion Street and Jen Bales, 1104 Orme Avenue gave an update on the process and progress of the West St. Paul Days Celebration. This community event starts planning a year in advance, meeting with city staff at least six months prior to the event. There are only five volunteers who do the event planning work. The following is a list of planned events:

- April 14: Kick-Off Dinner at 5:00 p.m. social hour; 6:30 p.m. dinner at Southview Country Club, 239 Mendota Rd E
- May 17: City of West St. Paul Open House, 1616 Humboldt Avenue at 5:00 to 7:00 p.m.
- May 18 to 21: Carnival at Signal Hills on Robert Street; Friday 3:00-11:00 p.m.; Saturday 11:00 a.m. to 11:00 p.m. and Sunday 12:00 to 6:00 p.m.
- May 19: Street Dance at Dunham's, 173 Lothenbach from 7:00 to 11:00 p.m.
- May 20: Family Fitness Fair at Moreland Elementary School, 217 Moreland Avenue from 9:30-11:30 a.m.

- May 20: Celebrate West St. Paul Grand Parade begins at 1:00 p.m. (city-wide event)
- May 20: Harmon Park Festival, 230 Bernard Street from 2:00 to 10:00 p.m.
- May 20: Rock the Barn Farm Festival at Dodge Nature Center, 365 Marie Avenue West from 3:00 to 7:00 p.m.
- May 20: Dunham's Bean Bag Tournament at Dunham's, 173 Lothenbach Avenue
- May 21: Kiwanis Pancake Breakfast at the YMCA, 150 Thompson Avenue East from 7:00 a.m. to 1:00 p.m.
- May 21: Royalty Coronation at St. Croix Lutheran High School, 1200 Oakdale Avenue from 1:00 to 4:00 p.m.

Clpn. Iago said putting this event together is a lot of work and effort and we appreciate all you do – thank you. The Planners said our thanks come from making memories for all those who attend all of our events.

Motion was made by Clpn. Pace and seconded by Clpn. Vitelli to approve all of the licenses presented and waiving of all license fees. All members present voted aye. Motion carried.

D. Approve Materials Testing Contract for City Project #17-1

Interim City Manager Schroder gave an overview. Charlton Avenue is the only state aid street being reconstructed this year. State aid roads require certain materials testing to be performed during construction. The MnDOT Schedule of Materials Control determines the required testing rates based on quantity and production rate. Everything from sand, aggregate, concrete and asphalt get tested both in the field and at the lab. Although not required, materials testing is also performed on non-state aid streets to ensure quality of materials for this significant infrastructure investment.

Proposals were received from American Engineering Testing (AET) and Braun Intertec to perform materials testing of this project. The two proposals were similar in the number of tests and overall cost. However, Braun included all of the MnDOT required submittals and deliverables for Charlton Ave. both during and post construction in their proposal. Testing and reporting is a requirement of state aid construction projects and is a time consuming task. Staff is therefore recommending that Braun Intertec be awarded the contract for materials testing.

Motion was made by Clpn. Vitelli and seconded by Clpn. Napier to approve a contract with Braun Intertec for materials testing of City Project #17-1 in the amount of \$39,150.00. All members present voted aye. Motion carried.

E. Ordinance Amendment, Sections 150.021 & 94.38 Regarding the height of grass

Assistant Community Development Director Ben Boike gave an overview. When the International Property Maintenance Code (IPMC) was adopted in the fall of 2015, the City opted to utilize language in the IPMC that allowed grass height up to 12 inches. The code previously only allowed grass height up to 8 inches. Staff has since discovered that the additional allowance

in grass height has led to an increase in complaints and ultimately some very unsightly properties, especially with having to provide additional time to comply with the ordinance. As a result, Staff is recommending that Council approve the attached resolution to amend both the IPMC language and City Code language in reverting back to the 8 inch height allowance.

Council is in favor of the change as outlined above.

Motion was made by Clpn. Iago and seconded by Clpn. Vitelli to approve the first reading of an ordinance amending sections 94.38 and 150.021 regarding the height of grass allowable on properties. All members present voted aye. Motion carried.

F. Ordinance for Vacation of an Alley Behind 158 Haskell Street (First Reading)

Attorney Land gave an overview stating as part of the redevelopment of 158 E. Haskell, the City is initiating the vacation of the unbuilt alley behind this lot. Alleys are vacated by ordinance, requiring 2 readings, one of which is a public hearing. In addition, notice must be provided to the adjacent property owners, informing them of the public hearing. If approved on first reading, the public hearing will be held on April 10.

Motion was made by Clpn. Vitelli and seconded by Clpn. Fernandez to approve the first reading for an ordinance to vacate an alley behind property at 158 Haskell Street as outlined in the council report and move forward with the public hearing. All members present voted aye. Motion carried.

G. Zoning Ordinance Amendment, Section 153.236 regarding Adult Day Care Facilities in the I1 District - City of West St. Paul

Assistant Community Development Director Ben Boike gave an overview. Staff has drafted an attached ordinance to allow Adult Day Care in the I1, Light Industrial District through a Conditional Use Permit. An interested party has inquired about opening a state licensed adult day care facility in some vacant office space at the DARTS property located at 1631-46 Marthaler Lane. However, current I1 zoning does not currently allow the use. If the proposed amendment is approved by Council, the interested party would then be required to submit a Conditional Use Permit application which would be reviewed by the Planning Commission and Council.

Motion was made by Clpn. Vitelli and seconded by Clpn. Pace to approve the first reading of an ordinance amending section 153.236 regarding adult day care facilities in the I1 zoning district of the city code. All members present voted aye. Motion carried.

12. Old Business

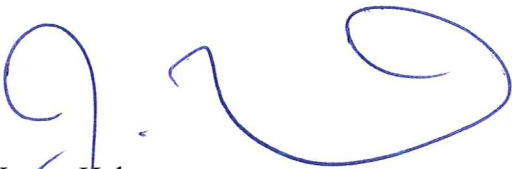
A. Joint and Cooperative Agreement for Fire Protection Services Renewal

Interim City Manager Schroder gave an overview. The Cities of West St. Paul and South St. Paul have an existing Joint Powers Agreement (JPA) in order to operate the South Metro Fire Department. The JPA, with amendments has been in force since 2005 with the most recent agreement expiring at the end of 2016. The South Metro Fire Board considered the item at their most recent meeting and as is evidenced in the attachments the Board is recommending approval of an extension by the respective cities.

Motion was made by Clpn. Iago and seconded by Clpn. Fernandez to approve the South Metro Fire Joint Powers Agreement Renewal and approve Resolution 2017-06 Approving Services Agreement with West St Paul and South St Paul (written and signed by the SMFD Board). All members present voted aye. Motion carried.

13. Adjourn

Motion was made by Clpn. Fernandez and seconded by Clpn. Napier to adjourn the meeting at 8:00 p.m. All members present voted aye. Motion carried.



Jenny Halverson
Mayor
City of West St. Paul

CITY OF WEST ST. PAUL
DAKOTA COUNTY / STATE OF MINNESOTA

RESOLUTION NO. 17-19

RESOLUTION ACCEPTING A DONATION FROM THE SOUTH ROBERT STREET
BUSINESS ASSOCIATION FOR ROBERT STREET BANNERS

WHEREAS, the South Robert Street Business Association intends to donate banners to be placed along Robert Street;

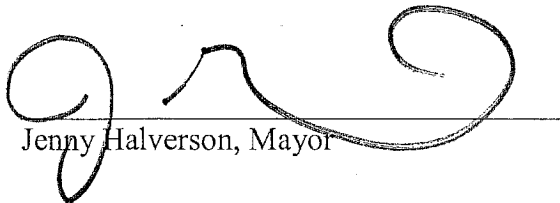
WHEREAS, the South Robert Street Business Association estimates the cost of said banners to be approximately \$8,000.00;

WHEREAS, the Mayor and City Council acknowledges the South Robert Street Business Association donation and community efforts and extends its thanks for the Board's generosity for this donation;


NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the above described donation for banners to be placed along Robert Street.

Adopted by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0



Jenny Halverson, Mayor

Attest: 

Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-20

**A RESOLUTION APPROVING THE SITE PLAN
FOR 1214/1224 ROBERT ST
(SAMAN RE HOLDINGS, LLC)**

WHEREAS, a Final Site Plan has been submitted to the City for properties legally described as:

CURRENT:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 7 N 42 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

PROPOSED PLAT:

LOTS 1-2, BLOCK 1, WESTCHESTER HEIGHTS NO. 3

WHEREAS, a public hearing concerning the Site Plan was held before the West St. Paul Planning Commission on March 21, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Site Plan.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Site Plan for 1214/1224 Robert St. (properties to be readdressed) requested by SAMAN RE HOLDINGS, LLC is hereby approved subject to the following conditions:

1. Council approval of the corresponding Planned Development Amendment, Conditional Use Permit, and Plat applications.
2. The applicant shall apply for all applicable building and sign permits. The proposed modification to the existing pylon sign as presented at the Council meeting shall be allowed as a permanent replacement of the pylon sign (6 ft. wide x 22 ft. tall monument style sign).
3. The applicant shall revise the proposed elevations for the new building (Dunkin Donuts/Baskin-Robbins) by including additional windows on the north elevation. Staff understands that windows on the north façade may be difficult to accommodate due to the interior layout, however, at minimum, Staff recommends adding another set of windows, preferably regular windows vs. spandrel glass.
4. The applicant shall revise the proposed elevations for the existing building (former Ace building) by adding windows on the newly constructed south elevation, specifically on the

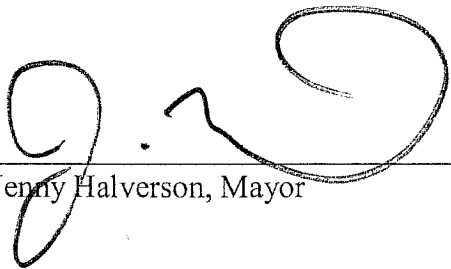
street side of the south elevation. Said window coverage must satisfy the requirements of Section 153.032(F) of the Zoning Ordinance.

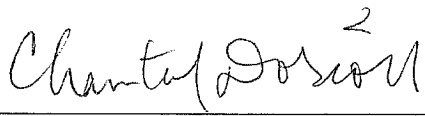
5. All rooftop mechanicals shall be property screened according to Section 153.032(F)(5).
6. The gates for the trash enclosure shall include maintenance free materials. Painting of the gates shall not be allowed.
7. The proposed retaining wall shall complement the proposed building and the proposed fencing located at the top of the retaining wall shall be maintenance free.
8. Where possible, the Landscape shall be revised according to the recommendations of the Environmental Committee. In addition, upon application of a building permit, the applicant shall submit an irrigation plan. With the exception of the proposed rain gardens and the areas above the retaining wall, all landscaped areas are required to be irrigated.
9. Revise the photometric plan to meet the zero foot candle requirement at the east property line.
10. Revise the plans to include a bike rack at the front entry of the new building.
11. The applicant shall adhere to the recommendations from MnDOT.
12. Permits from the appropriate regulatory agencies must be obtained, including but not limited to the MPCA, Dakota County, MnDOT, etc.
13. Parkland dedication shall be paid upon application of a building permit. Fee shall be in accordance to City Ordinance, Section 1022.11.
14. City of West St. Paul has acquired permanent easement along Robert St. for public sidewalk, landscape, wall, drainage, and utility. Update plat document to reflect the addition of the permanent easement.
15. Verify existing soil type meets or exceeds the infiltration rates listed in Technical Memorandum dated February 27, 2017.
16. Existing perforated drain-tile runs parallel Robert St. in the City-maintained planting bed. The drain-tile will be impacted by the proposed infiltration basins. Add note on sheet C5.1; "Contractor to locate, cut, and cap existing 6" perforated drain-tile in landscape bed area."
17. On sheet C2.1, legend lists overhead clearance bar. Unable to locate on plan.
18. On sheet C2.1, add "Accessibility Curb Ramp" note to all pedestrian ramps to be constructed.
19. Provide detailed plans and specifications for retaining walls over 4 feet in height signed by a Minnesota Professional Structural Engineer.
20. Developer to make an attempt reconnect to exiting water lateral in parking lot and not in city-owned sidewalk & landscape bed. If the connection in parking lot is not possible, contractor will be responsible repairing sidewalk and city-owned fence. Contact City engineering department for colored concrete mix design and fence detail sheets.
21. Contact Saint Paul Regional Water Service (SPRWS) to verify the location & condition of water lateral to be re-used.
22. The applicant shall revise the site plan by adding north-south crosswalks connecting the front of the new building to the adjacent parcel to the north.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0

Attest:



Jenny Halverson, Mayor

Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-21

**A RESOLUTION APPROVING THE
FINAL PLAT FOR 1214/1224 ROBERT STREET
(SAMAN RE HOLDINGS, LLC)**

WHEREAS, a Final Plat has been submitted to the City for properties legally described as:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 N 42 FT OF LOT 8
BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2
RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT,
WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT,
WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

WHEREAS, a public hearing concerning the Final Plat was held before the West St. Paul
Planning Commission on March 21, 2017; and

WHEREAS, the proposed Final Plat is in accordance with the Subdivision requirements; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of
West St. Paul approve the Final Plat.

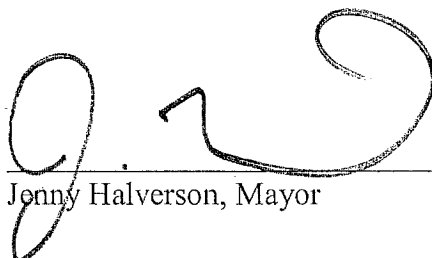
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that
the Final Plat for lots currently addressed 1214/1224 Robert St. (SAMAN RE HOLDINGS,
LLC) is hereby approved subject to the following conditions:


1. Council approval of the corresponding Planned Development Amendment, Site Plan, and
Conditional Use Permit applications.
2. The plat shall be recorded at the County within one year and prior to the submittal of a
building permit.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0

Attest:



Jonny Halverson, Mayor

Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-22

**A RESOLUTION APPROVING THE PLANNED
DEVELOPMENT AMENDMENT
FOR 1214/1224 ROBERT ST
(SAMAN RE HOLDINGS, LLC)**

WHEREAS, an application to amend the existing Planned Development has been submitted to the City for properties legally described as:

CURRENT:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 7 N 42 FT OF LOT 8
BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2
RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT,
WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT,
WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

PROPOSED PLAT:

LOTS 1-2, BLOCK 1, WESTCHESTER HEIGHTS NO. 3

WHEREAS, a public hearing concerning the amendment was held before the West St. Paul Planning Commission on March 21, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the amendment.

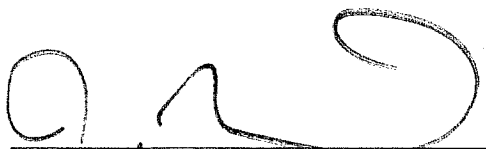
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the amendment to the existing Planned Development for 1214/1224 Robert St. (properties to be readdressed) requested by SAMAN RE HOLDINGS, LLC is hereby approved subject to the following condition:

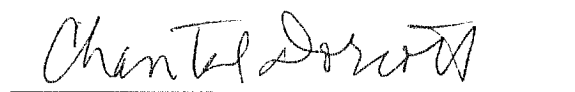
1. Council approval of the corresponding Site Plan, Conditional Use Permit, and Plat applications.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0

Attest:



Jenny Halverson, Mayor

Chantal Doriot, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-23

**A RESOLUTION APPROVING A CONDITIONAL
USE PERMIT TO ALLOW AN ACCESSORY STRUCTURE
IN A B3 DISTRICT AT 1214/1224 (DUNKIN DONUTS)
SAMAN RE HOLDINGS, LLC**

WHEREAS, a Conditional Use Permit application has been submitted to the City for properties legally described as:

CURRENT:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 7 N 42 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

PROPOSED PLAT:

LOT 2, BLOCK 1, WESTCHESTER HEIGHTS NO. 3

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on March 21, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.

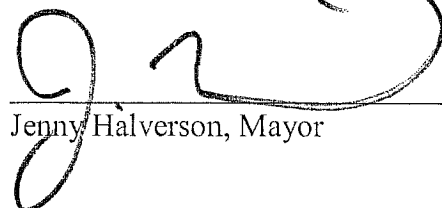
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1214/1224 Robert St. requested by SAMAN RE HOLDINGS, LLC. is hereby approved subject to the following conditions:

1. Council approval of the corresponding Planned Development Amendment, Site Plan, and Plat applications.
2. The applicant shall revise the plans by utilizing maintenance free materials for the exterior of the accessory structure. The exterior materials must complement the building and are not allowed to be painted.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.


Ayes: 5

Nays: 0



Jenny Halverson, Mayor

Attest:



Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-24

**A RESOLUTION APPROVING A CONDITIONAL
USE PERMIT TO ALLOW A DRIVE-THROUGH LANE
IN A B3 DISTRICT AT 1214/1224 (DUNKIN DONUTS)
SAMAN RE HOLDINGS, LLC**

WHEREAS, a Conditional Use Permit application has been submitted to the City for properties legally described as:

CURRENT:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 7 N 42 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

PROPOSED PLAT:

LOT 2, BLOCK 1, WESTCHESTER HEIGHTS NO. 3

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on March 21, 2017; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.


NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1214/1224 Robert St. requested by SAMAN RE HOLDINGS, LLC. is hereby approved subject to the following conditions:

1. Council approval of the corresponding Planned Development Amendment, Site Plan, and Plat applications.
2. Electronic devices shall not be audible beyond the east property line.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0

Attest:



Jenny Halverson, Mayor

Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-25

**A RESOLUTION APPROVING A CONDITIONAL
USE PERMIT TO ALLOW OUTDOOR SEATING
IN A B3 DISTRICT AT 1214/1224 (DUNKIN DONUTS)
SAMAN RE HOLDINGS, LLC**

WHEREAS, a Conditional Use Permit application has been submitted to the City for properties legally described as:

CURRENT:

LOT 1 – S 30.2 FT OF LOT 6 BLK 6 & ALL OF LOT 7 BLK 6 7 N 42 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 2 – S 8 FT OF LOT 8 BLK 6 EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

LOT 3 – N 30 FT OF LOT A EX PT TO CITY SUBJ TO EASEMENT, WESTCHESTER HEIGHTS NO 2 RE-ARRANGEMENT

PROPOSED PLAT:

LOT 2, BLOCK 1, WESTCHESTER HEIGHTS NO. 3

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on March 21, 2017; and

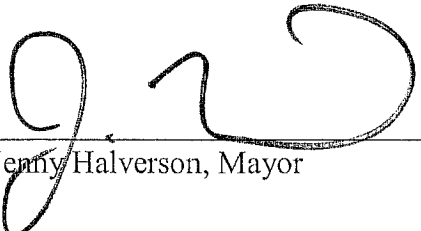
WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1214/1224 Robert St. requested by SAMAN R E HOLDINGS, LLC. is hereby approved subject to the following conditions:


1. Council approval of the corresponding Planned Development Amendment, Site Plan, and Plat applications.
2. All outdoor seating furniture shall consist of maintenance free materials as approved by the City Planner.

Passed by the City Council of the City of West St. Paul this 27th day of March, 2017.

Ayes: 5 Nays: 0


Jenny Halverson, Mayor

Attest:


Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 17-26

**RESOLUTION CONVERTING THE RENTAL LICENSE
OF 1254 ROBERT ST S.
TO A PROVISIONAL LICENSE AND ADOPTING A MITIGATION PLAN**

WHEREAS, William Goldberg (the “Owner”) owns a licensed duplex rental property located at 1254 Robert St. S. (the “Property”); and

WHEREAS, the Council is concerned about the Owner’s ability to manage rental properties based on the volume of calls for service to the Property; and

WHEREAS, on March 6, 2017, the City provided notice to the Owner that due to excessive police calls and nuisance activity associated with tenants occupying rental units at the Property, that pursuant to City Code Section 150.040 the Council would consider taking action against the Owner’s Licenses including suspension, revocation, adding conditions or converting the Licenses to Provisional Licenses; and

WHEREAS, on March 27, 2017, the City Council held a hearing and considered the License under the ownership of William Goldberg, during which the City presented its evidence and the Owner was given an opportunity to be heard; and

WHEREAS, following the hearing, after considering all evidence presented, the Council desires to convert the License at 1254 Robert St S. to a Provisional License until the Property’s next renewal deadline in May of 2017 and adopt an appropriate mitigation plan; and

NOW THEREFORE, BE IT RESOLVED, that the City Council converts the rental dwelling license under the ownership of William Goldberg at 1254 Robert St S. to Provisional License with the following mitigation plan:

1. The Owner will provide a plan describing steps proposed in order to reduce or eliminate the number of police calls to the property, i.e. city code violations, crime-free lease addendum violations or other crimes. Said plan shall be submitted to the police department within 20 days of Council approval.
2. The Owner will apply for future License renewals in a timely manner;
3. All adult persons living at the Owner’s units must sign a lease and any required addendum. No more than three unrelated persons may reside in any unit;

- a. The Owner will utilize and enforce a Crime-Free Lease addendum. All residents must sign this addendum including an acknowledgment that a substantial violation of this addendum is grounds for eviction;
 - b. Upon request, the Owner will provide the City with a current copy of any lease used for the Properties;
 - c. The Owner will aggressively enforce his leases and subsequent addendums requirements, using trespass notices and evictions as tools for significant and/or persistent violators;
4. The owner shall employ the services of a professional third party vendor to conduct background checks on prospective tenants;
 - a. The Owner shall develop and utilize a city approved Application Qualification Criteria policy to identify tenants to be accepted or denied;
 - b. Upon request, the Owner will provide the results of any rental criminal background check on his tenants to the police department;
5. The Owner will have no unresolved code violations;
 - a. The Owner will operate the property as to not receive any Repeat Nuisance Service Call Fees;
 - b. In addition to the above, the Owner will maintain the property as not to receive compliance letters for noxious matter, long grass and weeds, garbage, rubbish or junk, and sidewalks not kept clear of snow and ice;
6. The Owner will ensure that tenants, visitors, guests and other individuals that are associated with or known to be involved in criminal activities are not allowed on the premises and if they return a trespass notice will be filed with the police department and enforced by the Owner;
7. The Owner will maintain the property to the following Maintenance Standards:
 - Building Code
 - International Property Maintenance Code
 - Animal Ordinance
 - Fire Prevention Code
 - Repeat Nuisance Service Calls
 - Parked or Stored Motor Vehicles
 - Public Nuisance Ordinance

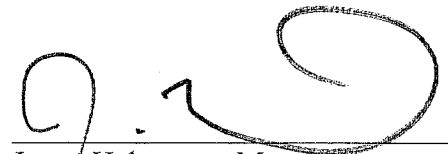
8. The Owner will cooperatively work and meet with City staff in resolving any unidentified issue or concern that may be disruptive to the peace and harmony of the neighborhood.

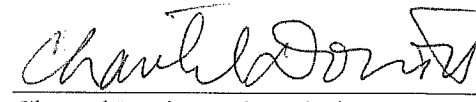
Adopted by the City Council of the City of West St. Paul this the day of March 27, 2017.

Ayes: 5

Nays: 0

Attest:



Jenny Halverson, Mayor

Chantal Doriott, City Clerk